

1 PETER C. MEIER (SB# 179019) petermeier@paulhastings.com
2 ERIC A. LONG (SB# 244147) ericlong@paulhastings.com
3 SARAH O. CHANG (SB# 257921) sarahchang@paulhastings.com
4 PAUL HASTINGS LLP
5 55 Second Street
6 Twenty-Fourth Floor
7 San Francisco, CA 94105-3441
8 Telephone: (415) 856-7000
9 Facsimile: (415) 856-7100

10 MICHAEL T. RISHER (SB# 191627) mrisher@aclunc.org
11 AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF
12 NORTHERN CALIFORNIA, INC.
13 39 Drumm Street
14 San Francisco, CA 94111
15 Telephone: (415) 621-2493
16 Facsimile: (415) 255-8437

17 Attorneys for Plaintiffs
18 ELIZABETH AIDA HASKELL, REGINALD ENTO,
19 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,
20 on behalf of themselves and others similarly situated

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ELIZABETH AIDA HASKELL,
REGINALD ENTO, JEFFREY PATRICK
LYONS, JR., and AAKASH DESAI, on
behalf of themselves and others similarly
situated,

Plaintiffs,

vs.

KAMALA D. HARRIS, Attorney General
of California; EVA STEINBERGER,
Assistant Bureau Chief for DNA Programs,
California Department of Justice; and
MICHAEL HENNESSEY, Sheriff, San
Francisco County,

Defendants.

Civil Case No. C 09-4779 CRB

CLASS ACTION

**STIPULATION AND [PROPOSED]
ORDER RE: CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

Date: September 30, 2011
Time: 8:30 a.m.
Dept.: Courtroom 8, 19th Floor

Honorable Charles R. Breyer

Complaint Filed: October 7, 2009
First Am. Complaint Filed: December 1, 2009

1 Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and Aakash
 2 Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva Steinberger,
 3 Assistant Bureau Chief for DNA Programs, California Department of Justice, by and through
 4 their counsel, hereby agree and stipulate as follows:

5 WHEREAS, the parties have a Case Management Conference (“CMC”) currently
 6 scheduled for September 30, 2011 at 8:30 a.m.;

7 WHEREAS, the Ninth Circuit held oral argument in the appeal of this Court’s denial of
 8 preliminary injunction on July 13, 2010, but then entered an order withdrawing the appeal from
 9 submission pending an *en banc* decision in *U.S. vs Pool*, No. 09-10303, and requesting that the
 10 parties file simultaneous letter briefs on the effect of *Pool* with 45 days of the final decision;

11 WHEREAS, the Ninth Circuit vacated the scheduled *en banc* hearing in *Pool* on
 12 September 19, 2011, and further dismissed the appeal and vacated the *Pool* panel’s opinion;

13 WHEREAS, by agreement of the parties, counsel request a continuance of approximately
 14 180 days;

15 NOW THEREFORE, the parties hereby stipulate and agree that the September 30, 2011
 16 CMC shall be continued, and that a CMC shall be held on March 30, 2012 at 8:30 a.m. Should an
 17 earlier date become necessary or appropriate by any action of the Ninth Circuit, the parties will
 18 contact the Court.

19 DATED: September 22, 2011 PAUL HASTINGS LLP

20 By: _____ /s/ Eric A. Long
 21 _____ Eric A. Long
 22 Attorneys for Plaintiffs
 23 ELIZABETH AIDA HASKELL, REGINALD ENTO,
 24 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,
 25 on behalf of themselves and others similarly situated

26 DATED: September 22, 2011 OFFICE OF THE ATTORNEY GENERAL

27 By: _____ /s/ Daniel J. Powell
 28 _____ Daniel J. Powell
 29 Deputy Attorney General
 30 Attorneys for Defendants
 31 KAMALA D. HARRIS, Attorney General of California and
 32 EVA STEINBERGER, Assistant Bureau Chief for DNA
 33 Programs, California Department of Justice

1 I attest that concurrence in the filing of this document has been obtained from Daniel J. Powell,
2 attorney for Defendants Harris and Steinberger.

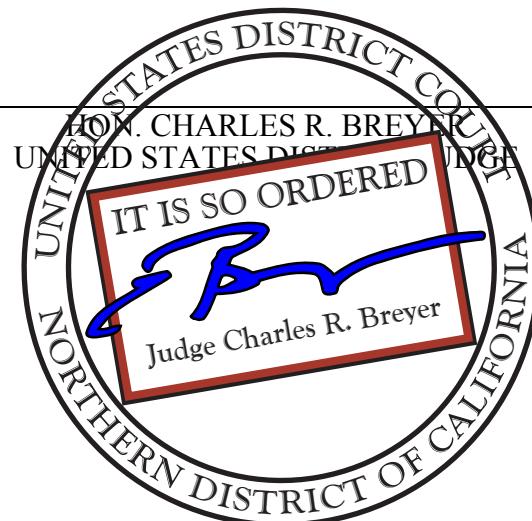
3 By: /s/ Eric A. Long
4 Eric A. Long
5 Paul Hastings LLP
6 Attorneys for Plaintiffs

7 **ORDER**

8 The Court has considered the above Stipulation, and good cause appearing
9 therefore, the Court hereby ORDERS as follows: The September 30, 2011 CMC shall be
10 continued, and a Case Management Conference shall be held on March 30, 2012 at 8:30 a.m.

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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13 DATED: September 26, 2011



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